

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 18, 2003

DIVISION ONE

Court convened at 9:00 a.m.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux, Deputy Clerk.

Each of the following:

B159630 People v. Hezekiah
B159705 People v. Dominguez
B161292 People v. Williams
B161450 People v. Pulido
B161669 Reel Good, Inc. v. Giants Entertainment
B162928 People v. Smith
B163500 People v. Lu
B163621 People v. Loyd
B164193 People v. Alvarez
B164506 People v. Rosalva P.
B164541 People v. Mahurien
B164572 People v. Pilgrim
B165296 DCFS v. Judith R.
B165440 People v. Barnes
B165746 DCFS v. Dawn B.
B166151 People v. Briggs
B166189 DCFS v. Omar A.
B166911 DCFS v. Pedro A.

Argument waived, cause submitted.

B160403 People
 v.
 Quintero

Merits:

Argued by Martin Kassman for appellant and by Bill Bilderback, Deputy Attorney General, for respondent. Counsel waives the presence of Spencer, P.J. Cause submitted.

DIVISION ONE (Continued)

B161149 People
 v.
 Sahibi

Merits:

Argued by Mark Alan Hart for appellant and by Jeffrey B. Kahan, Deputy Attorney General, for respondent. Counsel waives the presence of Spencer, P.J. Cause submitted.

Vogel, J. leaves the bench.

B160586 Rezec, et al.
 v.
 Sony Pictures Entertainment Inc.

Merits:

Argued by Robert Schwartz for appellant and by David R. Markham for respondents. Counsel waives the presence of Spencer, P.J. Cause submitted.

Vogel, J. returns to the bench.

B169947 Lesly A.
 v.
 Superior Court, Los Angeles County
 (Department of Children & Family Services, r.p.i.)

Merits:

Argued by Stephanie Jo Farrell, Deputy County Counsel, for real party in interest and no appearance for petitioner. Counsel waived presence of Spencer, P.J. Cause submitted.

Mallano, J. leaves the bench.

DIVISION ONE (Continued)

B163051 Bonime
 v.
 DirectTV, Inc. et al.

Merits:
Argued by Stephen H. McClain for respondent DirectTV, Inc. and by
Daniel Osborn for appellant. Respondent Prime TV waived oral argument.
Counsel waived presence of Spencer, P.J. Cause submitted.

Mallano, J. returns to the bench.

B157393 People of the State of California & City of Rancho Palos Verdes
 v.
 Kay, Jr.

Merits:
Argued by Glenn McRoberts for appellant and by T. Peter Pierce for
respondents. Cause submitted.

B165830 Anton
 v.
 The Roxy Theater, et al.

Merits:
Argued by Michael Harris for appellant and by Sandy Calin for
respondents. Cause submitted.

Court adjourned.

DIVISION FOUR

B167324 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Moises P.

The order dismissing the dependency petition is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

November 18, 2003 (Continued)

DIVISION FOUR (Continued)

B161834 People v. Botsacos (Not for Publication)

The order is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B154688 Marich (Certified for Publication)
v.
MGM/UA Telecommunications, Inc. and Metro Goldwyn Mayer, Inc.

The judgment is reversed. Appellant(s) to recover costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

B160260 Chinese Yellow Pages (Not for Publication)
v.
Chinese Overseas Marketing Services

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION FIVE (Continued)

B162679 People (Not for Publication)
v.
Miguel Ventura

The case is remanded to the superior court for a hearing to determine Ventura's total actual custody and presentence conduct credits. On remand, the court shall impose a \$50 laboratory fee (Health & Safe. Code §11372.5, subd. (a)); a \$50 penalty assessment (Pen. Code, §1464, subd. (a)); and a \$35 penalty assessment (Gov. Code, §76000, subd. (a)). The clerk of the superior court is ordered to prepare an amended abstract of judgment and to forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B163173 People (Not for Publication)
v.
Robert Rubbock

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

B166731 People (Not for Publication)
v.
Kirsten D.C.

The dispositional order is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SIX (Continued)

B161773 Martinez, et al. (Not for Publication)
 v.
 Combs, et al.

The portion of the judgment which dismissed the seventh cause of action is reversed. In all other respects, the judgment is affirmed. Costs to appellants.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

DIVISION SEVEN

B160076 People (Not for Publication)
 v.
 Gracida

The judgment is modified to reflect: (1) presentence credit of 462 days, 308 actual and 154 conduct; and (2) the sentence in the instant case (case No. SA042610) is to be served concurrently with the sentence in case number SA031631. As amended, the judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B159913 People (Not for Publication)
 v.
 Marshall

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

November 18, 2003 (Continued)

DIVISION SEVEN (Continued)

B159312 Frenchman (Not for Publication)
v.
L.A. Unified School District

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B166197 Los Angeles County, D.C.S. (Not for Publication)
v.
Ernest B.

The order of the juvenile court is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B161099 Jardine
v.
Love, et al.

Filed order denying petition for rehearing.

DIVISION EIGHT

B159517 Guzey (Not for Publication)
v.
Kapp, et al

The judgment is affirmed. Howard A. Kapp is to recover costs on appeal.

Boland, J.

We concur: Rubin, Acting -+P.J.
Flier, J.

November 18, 2003 (Continued)

DIVISION EIGHT (Continued)

B167315 People v. Nunez (Not for Publication)

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B163607 People
v.
Searles

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed December 10, 2002) dismissed.